



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

November 18, 1998

Honorable Charles S. Robb
United States Senate
Washington, DC 20510-4603

Dear Senator Robb:

I am writing in response to your September 17th inquiry on behalf of Dr. Vernon L. Grose. Dr. Grose expresses his concern about what he believes to be a lack of cooperation between the FBI and the National Transportation Safety Board (NTSB) during the TWA Flight 800 investigation.

Contrary to Dr. Grose's statement in his letter, from the outset of the government's investigation of TWA Flight 800, the FBI and the NTSB, as well as numerous other federal, state, and local agencies, worked together closely in an unprecedented cooperative effort to determine the cause of this tragedy. In his testimony before the Aviation Subcommittee of the House Committee on Transportation Infrastructure, NTSB Chairman Jim Hall, when responding to questions from the Members regarding allegations of conflict between the FBI and NTSB in connection with this investigation, spoke very favorably of the close working relationship between the FBI and NTSB, stating in response to a question from Representative James L. Oberstar, "As I've indicated throughout my testimony, we've worked together side by side in a very cooperative fashion ... The only thing that we will not be in a position to do until the FBI does complete its investigation is have a public hearing and open our public record. But I don't think any other joint participation would have an impact on our investigation."

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All of us would acknowledge, as did Chairman Hall in his testimony, that given the number of agencies involved in the investigation, differences of opinion that needed to be resolved arose from time to time. The important thing to remember is that working together, the FBI and the NTSB, as well as the other agencies, did resolve any differences that arose.

I have also reviewed The Washington Times articles which Dr. Grose referred to in his letter to you, and I take exception to a number of things Dr. Grose wrote in the August 9, 1998, article. Contrary to what Dr. Grose wrote, the FBI and NTSB investigations were not "virtually independent." Rather, the investigations were cooperative with both agencies working relentlessly to find the cause of the accident. To the extent that we did not proceed jointly, our investigative efforts would be better described as complementary. Investigative results were shared on a regular and continuing basis between the agencies. In addition, the FBI participated in the various NTSB working groups. No information or witness statements were ignored or suppressed. All were thoroughly and carefully evaluated. From the outset, the NTSB had a standing invitation to participate in eyewitness interviews. The fact is, as a small agency with a multitude of tasks to undertake as part of their accident investigation, the NTSB simply did not have sufficient personnel available to participate, particularly in the immediate aftermath of the crash. The inability of the NTSB to participate did not compromise the quality of the interviews, and the inclusion of missile experts from other government agencies served only to enhance the overall quality of the investigation as it related to the missile theory. As I noted before, FBI findings have been and continue to be available to the NTSB for review. Last April, the FBI provided the NTSB with copies of all eyewitness investigative results for review and publication on their docket. In the interest of privacy, we withheld only the names and addresses of the eyewitnesses.

Finally, I take strong exception to Dr. Grose's statements that the FBI jumped to unwarranted terrorist conclusions within hours of the crash and that this "precipitous misjudgement" resulted "in misdirecting massive Federal resources and unnecessarily frightening the public." I remind you that at the time of the TWA explosion, Ramzi Yousef and others were on trial in the United States District Court in the Southern District of New York for plotting to blow up 12 United States airliners over the Pacific Ocean, all on the same day, as well as for charges connected with a test of their device on an airliner that resulted in the death of a Japanese national. In addition, more than 100 eyewitnesses interviewed by the FBI the night of

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the crash reported observations of streaks of light and events in the sky associated with this tragedy. Unfortunately, as recent events have again demonstrated, terrorism directed against Americans and American interests continues to be all too common. The FBI did not jump to conclusions about the cause of the crash; rather, the FBI's quickness in initiating a thorough and exhaustive investigation was warranted by the circumstances and information available. Had the FBI done otherwise, it would have been subject to justifiable criticism.

I hope this will help you in responding to Dr. Grose.

Sincerely yours,

A. Robert Walsh
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Office of Public and
Congressional Affairs